

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

FABIAN SANTIAGO,

Plaintiff,

V.

SGT. CHILDERS, et al.,

Defendant.

)
)
)
)
)
)
)
)
)

Civil No. **05-512-MJR-CJP**

ORDER

PROUD, Magistrate Judge:

Before the Court is plaintiff Santiago's "motion to compel ." (**Doc. 206**). Plaintiff is seeking a court order directing the warden of Stateville Correctional Center to return documents that were purportedly either confiscated or improperly withheld from plaintiff, and which plaintiff needs for trial. Plaintiff also asks that the warden be ordered to stop retaliating against plaintiff. Also before the Court is plaintiff's "supplemental motion to compel," regarding the same subject. (**Doc. 208**). Plaintiff suggests that the Clerk of Court send plaintiff a copy of the documentation at issue, which was previously submitted and rejected by the Court (**Doc. 201**).

The Court has no jurisdiction per se over individuals and issues not involved in this action. At this point in time plaintiff has no immediate need for his documents, and the Court is confident that the warden at Stateville Correctional Center is aware that he cannot impede plaintiff's access to the courts, which includes his need to access documents needed to litigate this case (pretrial and for trial). Therefore, the Court will not interfere in the day-to-day affairs of the prison. If plaintiff believes that the warden has impermissibly retaliated against him, he should pursue an administrative grievance and filed suit if necessary.

Plaintiff suggests that the Court direct the Clerk of Court to send him a copy of the documentation previously rejected for submission into the record. The Court will not circumvent whatever decision prison officials made that resulted in plaintiff's documentation being seized. If plaintiff desires to purchase a copy of the documents (which have been scanned into the Court's computer system and no longer exist in the paper form in which they were sent), he can pay for that service at a rate of 50¢ per page (the 102 pages will cost \$51.00). Plaintiff should forward payment along with any such request to the Clerk of Court.

IT IS THEREFORE ORDERED that the subject motions (**Docs. 206 and 208**) are **DENIED** in all respects.

DATED: January 25, 2010

s/ Clifford J. Proud
CLIFFORD J. PROUD
U. S. MAGISTRATE JUDGE